IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO.524 OF 2004
IN
SUMMARY SUIT NO.1032 OF 2004

Bobcards Limited .. Plaintiff

Vs.

Robert Rodrigues .. Defendant

Mr.Iqbal Panjwani for the plaintiff

Mr.V.Mishra for the defendant

CORAM : S.U.KAMDAR, J
DATED : 31ST AUGUST, 2005

P.C.:

1. The present suit is file for a credit card issued by the plaintiff bank for the recovery of amount of sum of Rs.69,718.22. An affidavit in reply has been filed. Pursuant to application made by the plaintiff credit card was issued to the defendant being credit card no.4938 2700 0303 1000. Plaintiff has raised bills from time to time. The defence of the defendant is that they made payment in 1998 of Rs.95,280/-. Admittedly the said payments are already given credit of.

2. The learned counsel for the plaintiff further contends that in 2001 further payment of Rs.50,000/- was made. On perusal of the statement of account particularly page 16 of the plaint it is clear that the said credit of Rs.50,000/- is already given. After giving the credit what is due and payable by the defendant to the plaintiff is sum of Rs.69,718.22. There is no defence of any nature whatsoever in the present suit. In that view of the matter, Summons for Judgment is made absolute. Plaintiffs have tendered compilation of documents. The same are taken on record and marked Ex.P1 collectively. There shall be decree in favour of the plaintiff and against the defendant for the sum of Rs.69,718.22. The interest however, will be @ 12% p.a. from the date of the suit till payment and / or realisation. Suit as well as Summons for Judgment is disposed of accordingly. Refund of court fee as per rules.